

13. (NEW) The device of claim 11 including an input apparatus for inputting a re-shuffle signal to said processor to prompt the processor to reconstitute said indicia inventory to X.

14. (NEW) The device of claim 12 comprising said processor configured to arrange said inventory into a random serial order 1 - X, to serially select and display said indicia from said arranged inventory and to, in response to a re-shuffle signal re-arrange said inventory into a random serial order 1 - X. - -

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#### REMARKS

By this amendment, applicant has cancelled the original claims in favor of new claims 6 - 14. Re-examination and reconsideration of the application is respectfully requested.

New claims 6 - 14 are presented in this application.

New claim 6 recites a method for playing a wagering game using an inventory of X indicia, i.e. game symbols, which are arranged in sets of at least two indicia each. The player makes a wager and, for each hand of play, a plurality of indicia are randomly selected from the inventory and displayed, the plurality of inventory defining a winning or a losing outcome for the hand of play. If the outcome is a winning outcome, the player is issued an award. The method further includes displaying the number of each indicia remaining in each indicia set as depleted of the prior selected and displayed indicia. As an example, if there are 3 Red 7s in the inventory X, if, on the prior hand of play, 2 Red 7s were selected and displayed, the method would display that there is only one Red 7 remaining in the depleted inventory and available for forming outcome combinations.

The method further includes the step that the player can make another wager to play a hand using the depleted inventory or can command reconstitution of the inventory back to X. In the prior example, if a prize is awarded for selection and display of 3 Red 7s, since there is only one Red 7 left, the player may elect to reconstitute the inventory back to X and to replenish the Red 7s back into the inventory.

It is submitted that Richardson '809 does not disclose or suggest the features of claim 6. In Richardson '809 there is no disclosure or suggestion of arranging indicia into sets, randomly selecting and displaying indicia to define outcomes and displaying the number of indicia remaining in each indicia set after selection and display.

Richardson '809 selects complete outcomes (i.e. tickets) and displays tickets.

Richardson '809 does not display the indicia sets depleted by the prior selection and display. Richardson '809 does disclose display of the total number of tickets (chances) when the game is new, an approximate percentage of tickets remaining and the size of MAJOR winning tickets remaining. Richardson '809, col. 3, Ins 52 - 57. Since Richardson '809 is a game of an inventory of tickets (outcomes) having a predetermined number of winning awards, Richardson '809 cannot and does not disclose indicia sets or their constituency during play.

Allowance of claim 6 is respectfully requested.

Claim 7 depends from claim 6 to recite reconstituting the inventory of indicia to X when a predetermined number remain in the inventory. Richardson '809 also does not disclose or suggest this feature. Richardson '809 does not replenish a game with tickets when a predetermined number of tickets remain in the inventory. Allowance of claim 7 is respectfully requested.

Claim 8 also depends from claim 6 to recite arranging the indicia into a random serial order (e.g. like a deck of shuffled cards) and selecting and displaying the indicia in serial order. Richardson '809 does not disclose or suggest this feature. Allowance of claim 8 is respectfully requested.

New claim 9 recites the features of claim 8 written in independent form. For the reasons advanced above, allowance of claim 9 is respectfully requested.

New claim 10 recites the features of claim 6 and further includes the player option to reconstitute the inventory. Richardson '809 does not disclose or suggest a feature which permits the player to, at his option, reconstitute a game to a full compliment of tickets for a new game. Richardson '809 teaches away from this feature. Since the Richardson '809 is a Class II game having a fixed number of tickets (chances) sold for a fixed amount and a fixed number of winning tickets (awards for winning tickets), such games can be reconstituted at the whim of the player since that would be contrary to the fixed nature of the game. For example, if in Richardson '809 there were 75% of the tickets left but 60% of the prizes have been awarded, to allow the player to reconstitute the game would mean that the prior game would be operated at a loss since there would be no more revenue from the purchasing of the remaining 75% of the tickets. Allowance of claim 10 is respectfully requested.

New claim 11 sets forth an electronic device having features along the lines of new claim 6. For the reasons advanced above, allowance of claim 11 is respectfully requested.

New claim 12 depends from claim 11 to recite the display of a game matrix with pay lines and means to wager on each pay line. For the reasons advanced above,

allowance of claim 12 is solicited,

New claim 13 depends from claim 11 to recite in input apparatus for inputting a re-shuffle signal to the processor for reconstitution of the indicia inventory. As stated above, Richardson '809 does not disclose or suggest this feature and in fact teaches away from it. Allowance of this claim is also respectfully requested.

New claim 14 recites a device along the lines of claim 8 discussed above. For the reasons set forth above, allowance of claim 14 is also solicited.

#### CONCLUSION

For the reasons advance above, it is submitted that all pending claims are in condition for allowance. Allowance of all pending claims is solicited. Should the Examiner feel that a telephone interview would advance the case on the merits, the undersigned respectfully requests a telephone interview.

Respectfully submitted,

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6. A method for playing a wagering game using an inventory of indicia, said inventory when fully constituted having X number of indicia arranged in sets of at least two indicia each, the method comprising:

a player making a wager to play each of a series of hands;

for each hand of play, randomly selecting and displaying a predetermined plurality of indicia from the inventory, the combination of indicia selected and displayed defining a winning or losing outcome for the hand;

for a winning outcome, issuing an award to the player;

displaying the number of each indicia remaining in each indicia set in the inventory as depleted of the prior selected and displayed inventory;

the player (i) making another wager to play a hand using the depleted inventory or (ii) commanding reconstitution of the inventory to X prior to the play of the next hand.

7. The method of claim 6 comprising reconstitution of the inventory to X when a predetermined number of indicia remain in said inventory.

8. The method of claim 6 comprising randomly selecting and displaying indicia by arranging said indicia into a random, serial order of 1 - X and selecting and displaying said indicia in order from said arranged inventory.

9. A method for playing a wagering game using an inventory of indicia, said inventory when fully constituted having X number of indicia arranged in indicia sets of at

least two indicia each, the method comprising:

- a player making a wager to play the game;
- arranging the inventory into a random serial order 1 - X;
- serially selecting and displaying a predetermined plurality of indicia from the inventory, the combination of selected and displayed indicia defining a winning or losing outcome;

- for a winning outcome, issuing an award to the player;
- displaying the number of each indicia remaining in each indicia set in the inventory as depleted of the prior selected and displayed inventory; and
- the player (i) making another wager to play the game using the depleted inventory or (ii) commanding reconstitution of the inventory to X prior to the play of the next game.

10. A method for playing a wagering game using an inventory of indicia sets, said inventory when fully constituted having X number of indicia, the method comprising:

- a player making a wager to play the game;
- for each hand of play, randomly selecting and displaying a predetermined plurality of indicia from the inventory into the coordinates of a game matrix , the combinations of indicia in the game matrix defining a plurality of winning or losing outcomes;

- for each winning outcome, issuing an award to the player;
- displaying the number of each indicia remaining in the sets in the inventory as depleted of the prior selected and displayed inventory; and
- the player opting to (i) make another wager to play a next game using the

depleted inventory or (ii) commanding reconstitution of the inventory to X prior to the play of the next game.

11. An electronic device for playing a game utilizing an inventory of X game indicia arranged in sets of at least two indicia each, the device comprising:

a computer processor storing an arrangement of said inventory;

a video display;

means for a player to make a wager and prompt play of the game;

said processor, in response to prompting, configured to randomly select and display at said display a predetermined number of indicia selected from said inventory of indicia, a plurality of selected and displayed indicia defining an outcome; and

said processor configured to compare said outcome to a schedule of winning outcomes stored in a data structure, to issue an award for a winning combination and to control the display to display the remaining inventory of indicia sets depleted of said displayed game symbols.

12. The device of claim 11 comprising said processor configured to select and display a matrix of indicia, said matrix including a plurality of pay lines each including an outcome, means for the player to wager on a plurality of said pay lines and said processor configured to compare the outcome for each wagered upon pay line to said schedule and to issue an award for each winning combination.

13. The device of claim 11 including an input apparatus for inputting a re-shuffle signal to said processor to prompt the processor to reconstitute said indicia inventory to X.

14. The device of claim 12 comprising said processor configured to arrange said

inventory into a random serial order 1 - X, to serially select and display said indicia from said arranged inventory and to, in response to a re-shuffle signal re-arrange said inventory into a random serial order 1 - X..